

United States Government

Department of Energy

# memorandum

DATE: July 19, 2002

REPLY TO:

ATTN OF: Office of Environmental Policy and Guidance:Koss:6-7964

SUBJECT:

Environmental Protection Agency Request for Comment on Data Bases to be Used to Develop New Standards to Control Air Emissions from Hazardous Waste Combustors

TO:

Robert Poe, OR  
Gerald Boyd, OR

On July 2, 2002, the Environmental Protection Agency (EPA) published a Notice of Data Availability (NODA) in the *Federal Register* (67 FR 44452) in which the agency requested review and comment on the data bases that it plans to use to develop maximum achievable control technology (MACT) air emission standards for hazardous waste combustors (HWCs). An electronic copy of this NODA may be accessed at the U.S. Government Printing Office Web Site at: [http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2002\\_register&docid=02-16643-filed.pdf](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2002_register&docid=02-16643-filed.pdf). The Department of Energy's (DOE's) hazardous and mixed waste incineration units, other DOE thermal treatment facilities, and privately-owned facilities that treat or may treat DOE waste will be potentially affected by the standards. EPA is specifically seeking comment on the accuracy and completeness of the information in the data bases.

The data bases that EPA plans to use to develop the MACT standards can be accessed at: <http://www.epa.gov/hwcmact/ph2noda1/page2-3.htm#Words>. One of the sources in the data base is the DOE Toxic Substances Control Act (TSCA) incinerator located at Oak Ridge, Tennessee.

EPA states in the NODA (67 FR 44457) that it has added several data comment fields to the data bases that it may use to classify and group the data when establishing the MACT standards. Source owners/operators are encouraged in the NODA to review these data comment fields to determine if EPA's designations are accurate. EPA also states that it may be appropriate to establish different MACT standards for subcategories of a source category if the types or concentration of emissions of hazardous air pollutants are significantly different for a subset of the category. One possible subset for the incinerator category is mixed waste incinerators (67 FR 44457).

These data bases will be used by EPA to establish MACT standards. As such, they might ultimately have a bearing on how DOE mixed waste sources, in general, and Oak Ridge's TSCA incinerator, in particular, might be regulated. In general, our office distributes EPA notices such as this one for DOE-wide comment and review. However, this particular NODA appears only to have applicability to the TSCA incinerator. As a result, we are requesting that your offices review the quality of the TSCA incinerator information compiled by EPA in its data bases. Ted Koss of my staff has been in touch with Mal Humphreys, Joy Sager and Edwin Atkins of your staffs, and he forwarded the NODA to

them on July 12, 2002. We request that you forward any comments your offices have on the data sets to Mr. Koss (e-mail address: [theodore.koss@eh.doe.gov](mailto:theodore.koss@eh.doe.gov); telephone: 202-586-7964) by August 8, 2002, for transmittal to EPA. Questions on the NODA can also be directed to Mr. Koss.

A handwritten signature in dark ink that reads "Andy Lawrence". The signature is written in a cursive, flowing style.

Andy Lawrence  
Director  
Office of Environmental Policy and Guidance

cc: Patrice Bubar, EM-20